

14-14B. Administrative Actions through Unilateral Orders (1200 TN 350 14-14B)

1. AUTHORITY. After giving notice to the affected state, to take administrative action pursuant to the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended, including Section 106, including, but not limited to, issuing such unilateral orders as may be necessary to protect human health and welfare and the environment.

2. TO WHOM DELEGATED. Director, Superfund and Emergency Management Division (SEMD).

3. LIMITATIONS.

- a. The delegatee should consult with the Assistant Administrator for the Office of Enforcement and Compliance Assurance (AA/OECA) consistent with the most recent version of the "OECA/OSRE CERCLA and RCRA/CWA/UST Roles Chart," or successor documents, as appropriate.
- b. The delegatee must obtain the advance concurrence of the Regional Counsel (RC) on the legal sufficiency of the action before exercising this authority. The RC may waive concurrence in writing.

4. REDELEGATION AUTHORITY.

- a. This authority may be redelegated to the section chief level and no further. This authority may not be redelegated without formal amendment.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES.

- a. Sections 104 and 122 of CERCLA.
- b. Applicable U. S. Environmental Protection Agency guidance and OLEM directives.

6. SUPERSESSION. Delegations Manual, CERCLA, Regional Delegation 14-14-B. Administrative Actions Through Unilateral Orders. 1200 TN RIII 192 (January 18, 2017).

Date: APR 15 2019


Cosmo Servidio
Regional Administrator